## PATENT COOPERATION TREATY

# **PCT**

# TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P034527/WO/1				FOR FURTHER ACT	TION	See Form PCT/IPEA/416		
International application No.			ο.	International filing date (	day/month/year)	Priority date (day/month/year)		
PCT	/EP2	2004/0	009382	21.08.2004		09.06.2003		
в60	International Patent Classification (IPC) or national classification and IPC  B60T7/22, G01 S13/93, B60K31/00							
Applicant DAIMLERCHRYSLER AG								
This report is the international preliming under Article 35 and transmitted to the analysis.				-	•	International Preliminary Examining Authority		
2.	This R	REPORT co	nsists of a total of _	5 sheets, including this cover sheet.				
3.	This re	eport is also	accompanied by Al	NNEXES, comprising:				
	a. 🛭	(sent i	to the applicant and	to the International Burea	u) a total of 6	sheets, as follows:		
sheets of the description, clair sheets containing rectification					claims and/or drawings which have been amended and are the basis for this report and/or ations authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative			
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplementa Box.				ž ,			
	b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))					er of electronic carrier(s))		
	, containing a sequence listing and/or tables				, containing a sequence listing and/or tables			
	related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).					emental Box Relating to Sequence Listing (see		
4.	This re	eport contai	ns indications relatir	ng to the following items:				
	$\boxtimes$	Box No. 1	Basis of the	report				
		Box No. 1	II Priority					
		Box No. l	III Non-establis	shment of opinion with regard to novelty, inventive step and industrial applicability				
		Box No. l	V Lack of unit	ty of invention				
	Box No. V Reasoned state		tement under Article 35(2) with regard to novelty, inventive step or industrial applicability; explanations supporting such statement					
		Box No.	VI Certain docu	aments cited				
		Box No.	VII Certain defe	ects in the international app	plication			
Box No. VIII Certain observations on the international application								
Date of	Date of submission of the demand			Da	te of completion of th	nis report		
Name and mailing address of the IPEA/EP				Au	Authorized officer			
Facsimile No.			Te	lephone No.				

International application No.

PCT/EP2004/009382

Box	No. I	Basis of the report		
1.		h regard to the language, this report is based on the internatio cated under this item.	nal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original langua which is the language of a translation furnished for the purp		· · · · · · · · · · · · · · · · · · ·
		international search (Rule 12.3 and 23.1(b))		
		publication of the international application (Rule 12.4	)	
		international preliminary examination (Rule 55.2 and	/or 55.3)	
2.		h regard to the <b>elements</b> of the international application, this viving Office in response to an invitation under Article 14 ar		
	this	report):		
	$\square$	the international application as originally filed/furnished the description:		
		. 4 11		as originally filed/furnished
		pages 4-11 pages* 1-3		14.06.2005 with letter
		pages*		
	$\square$		_ received by this Additionly on	
		the claims:		
		nos.		as originally filed/furnished
		nos.* 1–13		14.06.2005 with letter
		nos.*		
	$\square$		_ received by this Admoraty on	
		the drawings: sheets 1/1		as an simply filed/framished
		sheets 1/1 sheets*		
		sheets*	•	
	П	a sequence listing and/or any related table(s) – see Supplem		
3.	$\Box$	The amendments have resulted in the cancellation of:	ental Box Relating to sequence E	isung.
3.	ш			
		the description, pages		
		the claims, nos. the drawings, sheets/figs		
		any table(s) related to sequence listing (specify):		
4.	П	This report has been established as if (some of) the amend		
	ш	they have been considered to go beyond the disclosure as fi		
		the description, pages		
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
*	If ite	any table(s) related to sequence listing (specify):  em 4 applies, some or all of those sheets may be marked "sup	erseded."	

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Box		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement						
	Novelty (N)	Claims	1-13	YES			
		Claims		_ NO			
	Inventive step (IS)	Claims	1-13	_ YES			
		Claims		_ NO			
	Industrial applicability (IA)	Claims	1-13	YES			
		Claims		_ NO			

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: DE 101 49 146 A (BOSCH GMBH ROBERT), 17 April 2003 (2003-04-17)
- D2: EP-A-1 318 491 (BAYERISCHE MOTOREN WERKE AG), 11 June 2003 (2003-06-11)
- D3: DE 199 34 670 A (BOSCH GMBH ROBERT), 21 December 2000 (2000-12-21)
- D4: WO 03/064215 A (MATSUSHITA ELECTRIC WORKS LTD),
  7 August 2003 (2003-08-07)
- D5: DE 43 33 357 A (BOSCH GMBH ROBERT), 6 April 1995 (1995-04-06)

Document D1, which is considered to be the prior art closest to the subject matter of claim 1, discloses (the references in parentheses are to D1) a device for detecting an instantaneous distance between a motor vehicle (32) and an obstacle (34), comprising distance sensors (16) and a control unit (10), the control unit (10) being designed to calculate a path that will be followed by the motor vehicle (32) using static and dynamic vehicle data, and also being designed to distinguish between relevant obstacles lying within the path and non-relevant obstacles lying outside the path.

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The subject matter of claim 1 differs from what is known from D1 in that each distance sensor (16) has a variable detection area, in that the control unit (10) is designed to adjust the range of the detection areas of the distance sensors (16) to fit lateral boundaries of the path, and in that the distance sensors (16) which have detection areas lying wholly within the path are controlled by the control unit (10) so that they operate with the maximum range.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can thus be seen as that of improving the level of obstacle recognition accuracy and thus increasing driving safety.

The solution proposed in claim 1 of the application involves an inventive step (PCT Article 33(3)) because the idea of adjusting the ranges of individual sensors so as to restrict the detection area essentially to the path of the vehicle is not known from D1 or any of the other known prior art documents. Therefore, even applying his own specialist knowledge, a person skilled in the art would not have been able to find anything in D1 that might have led him in an obvious way to what is claimed in claim 1.

Claims 2 to 7 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.

The corresponding method claim 8 and its dependent claims

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
(claims 9 to 13) also meet the requirements of PCT Article
33(2) and (3).
The subject matter of claims 1 to 13 is industrially
applicable (PCT Article 33(4)).